

REMARKS:

The Examiner's care in reviewing the specification and claims is greatly appreciated. Consideration of the application in view of the amendment of claims and election of invention is respectfully requested.

5 The Office Action contains an restriction requirement directed to independent or distinct inventions. Because the inventions are independent or distinct and the inventions require a different field of search, restriction for examination purposes is indicated as proper. Applicant is required to elect an invention to be examined and identify the claims and encompassing the elected
10 invention.

Applicant hereby elects, without traverse, the following invention consonant with the requirement and lists the claims encompassing the elected invention:

Invention II.

15 Claims 27, 28, 33-46, 48 and 97-99 encompass the elected invention.

Applicant would note that the remaining claims do not correspond exactly to those listed in the Office Action under Invention II., in part because of the amendment of claims above to comply with the restriction requirement and in part because of original claims dependent on claim 27 which, prior to
20 the present amendment, listed "cardboard" as a "component manufactured from a biodegradable material." In particular, dependent claims 28, 33-41, 46

and 48 are believed to properly be included as part of Invention II. although not listed as such in the Office Action.

Claims 27, 28, 36, 41 and 46 have been amended to comply with the restriction requirement.

5 Support for the amendment of claim 33 to “trees” is found, for example, at page 18, lines 2-6 of the originally filed application and claims 2 and 70 of the application as filed (prior to entry of the preliminary amendment).

Applicant would also note that it is well known in the art that “seeds” include the seeds of “trees.”

10 Support for the amendment of claims 35 and 42 to “infused with” is found, for example, at page 31, line 20 of the originally filed application.

Support for the amendment of claim 40 to “the liquid is removed after application to the cardboard box” is found, for example, in claim 41 as originally filed.

15 Support for “corrugated cardboard” and “pressed cardboard” in new claim 99 is found, for example, at page 41, line 9 and at page 43, lines 9-10 of the originally filed application.

In view of the restriction requirement, Applicant retains the right to present claims to the non-elected invention in a divisional application.

20 Consideration of the application in view of the election of invention is respectfully requested. The Examiner is invited to telephone the undersigned if

a telephonic interview would expedite resolution of any remaining matters.

Respectfully Submitted,

5 APRIL 22, 2006
Date

10

WILLIAM D. HYDE

William R. Hyde
U.S.P.T.O. Reg. # 35,201
1833 10th Street
Penrose, CO 81240
(509) 690-1176

15

CERTIFICATE OF MAILING UNDER 37 CFR 1.8

I hereby certify that this correspondence (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, 20 VA 22313.

Date: 04/22/2006

WILLIAM D. HYDE
William R. Hyde